

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

	)	No. C09-45RAJ
IN RE CLASSMATES.COM	)	DECLARATION OF PLAINTIFF DAVID
CONSOLIDATED LITIGATION	)	CATAPANO IN SUPPORT OF
	)	PLAINTIFFS' MOTION FOR
	)	APPROVAL OF CLASS ACTION
	)	SETTLEMENT
	)	

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DECLARATION OF DAVID CATAPANO  
(No. CV09-45RAJ) Page - 1

LAW OFFICES OF  
**KELLER ROHRBACK L.L.P.**  
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**DECLARATION OF DAVID CATAPANO**

I, David Catapano, hereby declare as follows:

1. I am a named plaintiff in the above captioned case, entitled *In Re Classmates.com Consolidated Litigation*, I have personal knowledge of the matters contained in this declaration and, if called as a witness to testify, I could and would competently testify to them.

2. I have been represented by my counsel Keller Rohrback L.L.P. and Kabateck Brown Kellner LLP in connection with this matter.

3. I registered for a free subscription to Classmates.com and thereafter began receiving numerous misleading emails which incorrectly conveyed the reasonable impression that former classmates of mine were actively trying to contact me through Classmates.com. I purchased a gold membership through Classmates.com and then learned that no past acquaintances were trying to contact me.

4. During the course of litigation, I have had numerous telephonic and e-mail contacts with my counsel at Keller Rohrback and Kabateck Brown Kellner. They have routinely filled me in on the status of the case and have attended to my questions and concerns about this litigation on behalf of myself and others similarly situated. I have also devoted time assisting my counsel in the prosecution of this case, which includes providing them with requisite information to move forward with this case fairly, by explaining the facts and circumstances of this matter and answering questions from my counsel.

5. I have been involved with my attorneys during the settlement negotiation process, and I am knowledgeable about the strengths and weaknesses of this case. I was fully advised as to the provisions of the settlement and have reviewed the entire agreement. I fully support the terms reached within the settlement agreement which is dated March 24, 2011 and find it to be fair and reasonable when taking into account the risks associated with further litigation as well as the benefits to myself and the class members.

8. I continue to be and have been willing and able to serve as a Class Representative in this litigation. I fully understand the duties of the Class Representative, including the duty to prosecute this case on behalf of the entire putative class. I have been and remain able and prepared to continue to work with my attorneys to stay informed about the issues in this case and to provide relevant information, documents and testimony when they are requested.

Executed on March 24, 2011, at Henderson, Nevada.

DECLARATION OF DAVID CATAPANO  
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IN RE CLASSMATES.COM ) No. CV09-45RAJ  
CONSOLIDATED LITIGATION )  
 ) CERTIFICATE OF SERVICE  
 )  
 )  
 )

I HEREBY CERTIFY that on the 25th day of March, 2011, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to the following:

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CERTIFICATE OF SERVICE  
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s/Amy Williams-Derry